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## UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

836760

PHELAN HALLINAN DIAMOND & JONES, PC 1617 JFK Boulevard, Suite 1400 Philadelphia, PA 19103 856-813-5500 Attorneys for U.S. BANK TRUST, N.A., AS

TRUSTEE FOR LSF10 MASTER PARTICIPATION

TRUST

In Re:

Brian McCann Bonnie McCann Something of No.

Order Filed on April 6, 2020 by Clerk U.S. Bankruptcy Court District of New Jersey

Case No: 17-32785 - MBK

Hearing Date: March 25, 2020

Judge: MICHAEL B KAPLAN

## ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S MOTION TO EXTEND THE AUTOMATIC STAY

The consent order set forth on the following page, numbered two (2) is hereby **ORDERED**.

**DATED: April 6, 2020** 

Honorable Michael B. Kaplan United States Bankruptcy Judge This Consent Order pertains to the property located at 20 RHODE ISLAND DRIVE, JACKSON, NJ 08527, mortgage account ending with "6713";

THIS MATTER having been brought before the Court by, James J. Cerbone, Esquire attorney for debtors, Brian McCann and Bonnie McCann, upon the filing of a Motion to Extend the Automatic Stay; and Caliber Home Loans, Inc., by and through its attorneys, Phelan Hallinan Diamond & Jones, PC, having filed an Objection to said Motion, and the parties having resolved their differences, and for good cause shown, it is **ORDERED** that Debtor's Motion to Reinstate the Automatic Stay is resolved, subject to the following conditions:

- 1. The Automatic Stay is **REINSTATED** as to Secured Creditor.
- 2. Beginning April 1, 2020, Debtors will continue to make regular monthly payments in accordance with the terms of the Mortgage and Note.
- 3. The Debtors will remain current from this day forward in accordance with the terms of the Mortgage and Note.
- 4. The Debtors acknowledge that the monthly mortgage payment amount is subject to change in accordance with the terms of the Mortgage and Note.
- 5. The Debtors agree that if the regular monthly mortgage payment commencing February 1, 2020, is more than thirty (30) days late, counsel for the Secured Creditor may file a Certification of Default with the Court and the Court shall enter an Order granting relief from the Automatic Stay.
- 6. In the event the Debtor converts to a Chapter 7 during the pendency of this bankruptcy case, the Debtor shall cure all pre-petition arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. If the Default is not cured within ten (10) days of conversion, counsel for the Secured Creditor may file a Certification of Default with the Court and the Court shall enter an Order granting relief from the Automatic Stay, waiving FED. R. Bankr. P. 3002.1.